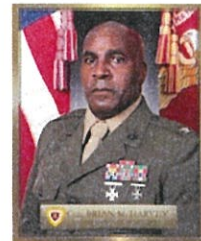




Commanding Officer, Headquarters Battalion Sexual Assault Prevention and Response Policy Letter



The objective of this policy is to educate and provoke conversations for the purposes of sexual assault prevention. Sexual assault is defined as intentional sexual contact, characterized by the use of force, physical threat of force, abuse of authority, or when the victim does not or cannot consent. It is imperative that every member of Headquarters Battalion understands how sexual assault is defined and also understands its applicability from the victim's perspective. The environment and conditions that precede sexual assault are unbound by geographic locations and devoid of gender requirements, spousal relationships, age, or social status. Sexual assault will not be tolerated! Intentional sexual contact that is NOT consensual will be considered sexual assault, reported appropriately by the victim, and subject to legal proceedings.

The Department of Defense characterizes the term 'consent' as a freely given agreement to the conduct at issue by a competent person. Consent must be given in a present tense and not recalled from a favorable position. A current or previous dating or social or sexual relationship by itself or the manner of dress shall not constitute consent. Consent must come directly from the person involved while they are in a competent state; sleeping, unconscious, impaired, or unable to function routine activities are descriptors of people unable to provide consent. Victims of sexual assault are highly encouraged to account for violations through restricted or unrestricted reports.

The **Restricted Report** allows sexual assault victims to confidentially disclose the assault to a Sexual Assault Response Coordinator (SARC), Sexual Assault Prevention & Response Victim's Advocate (SAPR VA), or a Healthcare Provider (HCP) then begin receiving medical treatment, emergency care, and/or counseling without triggering an official investigation. In addition to the SARC, SAPR VA, and HCP, victims can report assaults via the DOD Safe Helpline 24/7 or through the 24/7 Sexual Assault Support Line (see numbers below). The victim, whose name and any personally identifiable information remains anonymous to law enforcement and the chain of command, must provide consent to initiate an official investigation.

The **Unrestricted Report** affords victims the opportunity to disclose the assault through the same reporting channels and receive the same services offered through the restricted reporting method. However, during the unrestricted report process the victims identify is not kept confidential which allows law enforcement agencies or the chain of command to receive the report and initiate an official investigation. The victim's safety and security will remain a concern and information pertaining to the victim and the circumstance will only be released on a need-to-know basis.

Every sexual assault will be addressed according to the reporting method chosen. Where cause exists, appropriate legal or administrative action will be taken against the violator. Sexual assault violators, those that minimize the acts, and those that deemphasize the aftereffects, are counterproductive to Headquarters Battalion.

For additional assistance or information, please contact one of the Headquarters Battalion SAPR VA whose picture and information can be found on SAPR VA posters throughout the command and barracks.

Semper Fidelis,

Brian M. Harvey
Colonel, United States Marine Corps